

REMARKS

Claims 1 – 21 are pending with claims 5, 6, 13 and 14 withdrawn from consideration.

Reconsideration and further examination in view of the amendments above and following remarks is respectfully requested.

In the outstanding Office Action, the Examiner objected to claims 1 – 2 and 4 due to informalities; rejected claims 1, 3, 4, 7, 9, 11 – 12 and 15 under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent No. 09-114307 to Kato et al. (hereinafter referred to as “the Kato et al. ‘307 reference”) in view of U.S. Patent No. 6,837,839 to Payne et al. (hereinafter referred to as “the Payne et al. ‘839 patent”); rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over the Kato ‘307 reference in view of the Payne et al. ‘839 patent and further in view Japanese Patent No. 05-024222 to Saito (hereinafter referred to as “the Saito ‘222 reference”); rejected claim 8 under 35 U.S.C. §103(a) as being unpatentable over the Kato et al. ‘307 reference in view of the Payne et al. ‘839 patent and further in view of U.S. Patent No. 6,661,993 to Bartscher et al. (hereinafter referred to as “the Bartscher et al. ‘993 patent”); rejected claim 10 under 35 U.S.C. §103(a) as being unpatentable over the Kato et al. ‘307 patent in view of the Payne et al. ‘839 patent and further in view of Japanese Patent No. 09-141190 to Nakajima (hereinafter referred to as “the Nakajima ‘190 reference”); and rejected claims 15 – 16 under 35 U.S.C. §103(a) as being unpatentable over the Kato ‘307 patent in view of Japanese Patent No. 01-133746 to Nagasaka (hereinafter referred to as “the Nagasaka ‘746 reference”).

By this Response and Amendment, Applicant corrects the claim informalities, amends the independent claims to similarly recite “a shield plate for preventing said light from leaking to said printed recording medium;” adds claims 17 – 21; and traverses the prior art rejections. It is respectfully submitted that no new matter, within the meaning of 35 U.S.C. §132, has been added.

Claim Objection

The Examiner objected to claims 1 – 2 and 4 due to informalities. In particular, in claim 1 and similarly in claim 15, the Examiner indicated that recitation of “a conveying member disposed so as to face the fixing member *over* the conveyance path” should be – *under* the conveyance path – in view of the disclosure in figure 5 of element 75 being under the conveyance path.

Response

Applicant thanks the Examiner for referencing “over” versus – under – in claims 1 and 15. However, Applicant notes that the present language is correct as this recitation is referring to the fixing member (for example 74a in figure 5) being over the conveyance path as opposed to element 75. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the objection.

Prior Art Rejections

The Examiner rejected claims 1, 3, 4, 7, 9, 11 – 12 and as being unpatentable over the Kato et al. ‘307 reference in view of the Payne et al. ‘839 patent; rejected claim 2 as being unpatentable over the Kato ‘307 reference in view of the Payne et al. ‘839 patent and further in view the Saito ‘222 reference; rejected claim 8 as being unpatentable over the Kato et al. ‘307 reference in view of the Payne et al. ‘839 patent and further in view of the Bartscher et al. ‘993 patent; rejected claim 10 as being unpatentable over the Kato et al. ‘307 patent in view of the Payne et al. ‘839 patent and further in view of the Nakajima ‘190 reference; and rejected claims 15 – 16 as being unpatentable over the Kato ‘307 patent in view of the Nagasaka ‘746 reference.

Response

By this Response and Amendment, Applicant respectfully traverses the prior art rejections as the prior art does not disclose, teach or suggest all of the features of the presently claimed invention. To establish a *prima facie* case of obviousness, the Examiner must show that the prior art references teach or suggest all of the claim features. *Amgen, Inc. v. Chugai Pharm. Co.*, 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); *In re Fine*, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 USPQ 494, 496 (CCPA 1970).

Independent claims 1, 11 and 15 similarly recite “a shield plate for preventing said light from leaking to said printed recording medium.” However, in contrast to the presently claimed subject matter, none of the cited prior art references, alone or in any combination with each other, discloses, teaches or suggests such a feature.

The Kato et al. ‘307 reference discloses a fixing roller having an optical permeability. The Payne et al. ‘839 patent discloses an apparatus (for fusing toner to a laser to a laser printed page) that includes a photosensitive drum, a laser optic system, a toner supply and an ultraviolet light source. The Saito ‘222 reference discloses a photo-fixing device having a transparent rubber roller part that is pervious to UV rays and that includes a UV lamp built in the rotary center part of the roller part. The Bartscher et al. ‘993 patent discloses a digital image recording device for controlling the gloss of a toner image by heating. The Nakakima ‘190 reference discloses a printing ink that is curable by ultraviolet rays and that consists of a nitrogen free radical polymerization initiator, a pigment and monomers. The Nagasaka ‘746 reference discloses a method of preventing the generation of exudation in printing by advancing the drying or curing of ink. However, none of these references, alone or in any combination with each other, discloses teaches or suggests “a shield plate for preventing said light from leaking to said printed

recording medium” as recited in the independent claims of the present application.

Therefore, none of the references, alone or in any combination with each other, renders the presently claimed invention obvious. Similarly, as dependent claims necessarily recite all of the features of the independent claim from which they depend, the claims that depend from claims 1, 11 and 15 are not rendered obvious by the cited prior art for at least the same reasons as the respective independent claims. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the prior art rejection.

MISCELLANEOUS

New claims 17 – 21 are added. Applicant submits that newly added claims 17 and 18 are allowable over the prior art due at least to their dependence on claim 1 and 15, respectively. Applicant submits that newly added claims 19 – 21 are patentable over the prior art due to their recitation of “reflecting a part of the light toward the recording side of the recording medium; [and] preventing the light including the reflected light from leaking to said printed recording medium,” which is not disclosed, taught or suggested by any of the cited prior art references, alone or in any combination with each other.

CONCLUSION

In light of the foregoing, Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of

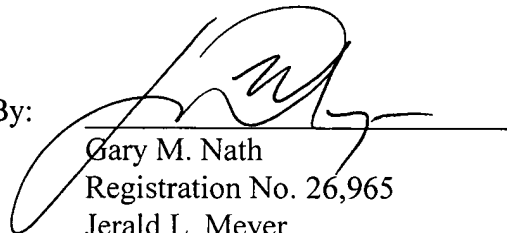
time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

THE NATH LAW GROUP

Date: February 19, 2008
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
(703) 548-6284

By:

A handwritten signature in black ink, appearing to be "Gary M. Nath", is written over a horizontal line.

Gary M. Nath
Registration No. 26,965
Jerald L. Meyer
Registration No. 41,194
Derek Richmond
Registration No. 45,771
Customer No. 20529